

MISSISSIPPI DEPARTMENT OF HUMAN SERVICES DIVISION OF YOUTH SERVICES JUVENILE INSTITUTIONS	
Subject: Abusive Institutional Practices	Policy Number: 6
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Attachments	Related Standards & References
None	Mississippi State Statute: § 43-21-353 § 43-21-354 § 43-21-357
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I. POLICY:

It is the policy of the Mississippi Department of Human Services, Division of Youth Services (DYS) that a youth housed in the youth development center will not be subject to abusive institutional practices. Abusive institutional practices are practices or behaviors which humiliate, demean, and/or physically or psychologically abuse youth and include deliberate and/or systematic practices which are inconsistent with Departmental policy and procedures for supervision, treatment, and control. Abusive institutional practices are prohibited and must be reported and documented by all departmental, contractual, and volunteer staff with knowledge of an occurrence or an allegation or suspicion that an abusive practice has occurred. Any staff member ordering, engaging in, or condoning abusive institutional practices will be subject to formal disciplinary action.

II. DEFINITIONS

As used in this policy and procedure, the following definitions apply:

- A. Use of Force – Any application of physical force or use of approved restraint equipment, techniques or chemical agents employed in instances of justifiable self-defense, protection of others, protection of property, or prevention of escapes. The force can be defined as an intentional physical contact or use of equipment to control behavior in a confrontational situation.
- B. Incident Report Form – The form used to document that an incident that has occurred, which details information and circumstances relevant to an incident.
- C. Abusive Institutional Practices - Practices and/or behaviors which humiliate, demean, and/or physically or psychologically abuse youth.

III. PROCEDURE

Abusive institutional practices are not condoned. All staff members are responsible for constantly examining their behavior and activities to make sure they are not engaging in abusive institutional

Subject	Policy #	Page
Abusive Institutional Practices	VII.6	Page 2 of 4

practices. Anyone observing an abusive institutional practice is responsible for reporting the incident immediately through the Child Abuse and Neglect Hotline (see policy VII.5).

A. Abusive Institutional Practices – Abusive institutional practices are practices and/or behaviors which humiliate, demean, and/or physically or psychologically abuse youth. Practices and/or behaviors which, humiliate, demean, and/or abuse youth will never be used to control behavior. Approved institutional practices include those methods for supervision and control that are taught in agency training curriculum, through supervision, and are based in policy and procedure. The following are examples of abusive institutional practices; however, the list is not intended to be an all-inclusive list.

1. Harassment and Disrespect - Talking to a youth in a way that is embarrassing or that ridicules or debases the youth is abuse. This includes using profanity when addressing a youth, talking to a youth using words or voice tones that are humiliating, mocking, demeaning, or embarrassing to a youth.
2. Sexual Contact - All occurrences of adult initiated or maintained sexual contact, sexual penetration, indecent exposure, and voyeurism. Solicitation of youth to engage in sexual contact or penetration.
3. Sexual Comments, Advances, or Gestures – This includes making embarrassing comments about a youth’s body, gender or sexual orientation, making gestures that have a sexual connotation, and/or touching or pointing at a youth’s body in ways that are sexually suggestive or provocative.
4. Improper use of Restraints - Restraining a youth as punishment, using techniques such as hog-tying or pole shackling is abuse. The prolonged, improper, and/or unauthorized application of restraints is also abuse.
5. Demeaning or Excessive Physical Exercise - Forcing a youth to engage in demeaning or excessive physical exercise, which causes youth to suffer from over-exhaustion, experience extreme physical reactions, or humiliates youth is abuse.
6. Demeaning Behavior – Forcing a youth to engage in behavior which is intended to be embarrassing, without purpose or to be humiliating is abuse. This includes neither youth participating in normal/scheduled unit clean-up activities, nor work detail assignments.
7. Withholding of Essential Services as Punishment – Deliberately withholding food, access to toilets, medical, legal or other essential services to punish youth are abusive institutional practices.

Subject	Policy #	Page
Abusive Institutional Practices	VII.6	Page 3 of 4

8. Other – Utilizing otherwise innocent practices or behaviors in order to humiliate, demean, and/or physically or psychologically abuse a youth are abusive institutional practices.
- B. Reporting – Staff members who engage in an abusive incident, or who observe such an incident, are required to immediately report that incident.
1. Incident Reports – All incidents should be detailed in an Incident Report, including those involving abusive institutional practices according to policy VII.2: Incident Reporting. The Incident Report is to be completed and submitted prior to the end of the shift being worked, or the end of the employee’s scheduled work day.
 2. Hot line – All alleged, suspected or apparent incidents of abuse or neglect are to be immediately reported using the Child Abuse and Neglect Reporting Hot Line. For further information about reporting a serious incident of abuse or neglect, see policy VII.5: Abuse and Neglect Reporting.
- C. Condoning Abusive Institutional Practices – Staff who observe an abusive institutional practice and do not report the incident are in violation of this policy and procedure and the requirement to report all incidents of abusive institutional practices. They will be viewed as having condoned or supported the abusive practice. Failure to report an incident of abuse will be treated as severely as having committed the incident.
- D. Expected Staff Conduct – At a minimum, the following behavioral expectations are to be upheld by DYS staff persons at all times when interacting with youth and/or with colleagues in the presence of youth:
1. Remain professional at all times.
 2. Youth and staff shall be addressed by their first name or Mr/Miss along with their last name in a respectful manner. Staff shall not use nicknames for students or themselves.
 3. An appropriate tone shall be used with youth at all times in accordance with the setting and situation.
 4. Staff shall model behavior that is expected to be mirrored by youth.
 5. Staff shall maintain appropriate adult/child relationships with youth.
- E. Disciplinary Action – Any staff member who engages in abusive institutional practices, and/or who observes and fails to report an abusive practice, will be subject to formal disciplinary action. Sanctions may include termination of employment.

Subject	Policy #	Page
Abusive Institutional Practices	VII.6	Page 4 of 4

- F. Training – All staff who will work at the youth development center shall receive pre-service training on the abusive institutional practices policy and procedure. In-service training requirements shall be determined annually through the training needs assessment process.

Documentation – Any alleged, suspected or observed incident of abusive institutional practices will be documented using an Incident Report form. The report form will be completed before the staff person leaves shift, and will be turned in to the shift supervisor on duty at the time of the shift change